

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

DNA GENOTEK INC.,)	
)	
Plaintiff,)	
)	
v.)	C.A. No. 15-cv-00661-SLR
)	
SPECTRUM DNA; SPECTRUM SOLUTIONS)	JURY TRIAL DEMANDED
L.L.C.; and SPECTRUM PACKAGING L.L.C.,)	
)	
Defendants.)	

DNA GENOTEK INC.'S MOTION FOR PRELIMINARY INJUNCTION

In accordance with Federal Rule of Civil Procedure 65, Plaintiff DNA Genotek Inc., (“DNAG”) hereby moves for a preliminary injunction preventing Defendants Spectrum DNA, Spectrum Solutions L.L.C., and Spectrum Packaging L.L.C.’s (collectively, “Spectrum’s”) continued infringement of DNAG’s U.S. Patent No. 8,221,381 B2 (“the ’381 patent”), entitled “Container System for Releasably Storing a Substance” during the pendency of this litigation. Spectrum has secretly supplied infringing product to Ancestry.com DNA LLC (“Ancestry”) for more than one year. It recently launched a website offering infringing product to customers other than Ancestry. This motion does not seek to enjoin Spectrum from continuing to supply Ancestry. Instead, it seeks to enjoin Spectrum from offering for sale supplying the product to other customers and the general public.

As detailed in the accompanying Opening Brief in Support of its Motion For Preliminary Injunction, this Court should issue a preliminary injunction because DNAG is likely to succeed on its infringement claim, the ’381 patent will likely withstand any validity challenge, DNAG will likely be irreparably harmed if a preliminary injunction is not granted, the balance of harms

favors DNAG, and the public has an interest in the injunction being granted. Consequently, DNAG respectfully requests that this Court grant the requested preliminary injunction.

Respectfully submitted,

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